

filed in the District Court of the United States a libel praying seizure and condemnation of 48 bottles of Silver Pine Healing oil at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about April 22, 1932, by the Vicksburg Chemical Co., from Vicksburg, Miss., to New Orleans, La., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Silver Pine Healing Oil * * * Prepared only by International Stock Feed Co., Minneapolis, Minn."

Analysis of a sample of the article by this Department showed that it consisted essentially of an empyreumatic oil such as tar oil, and turpentine oil.

It was alleged in the libel that the article was misbranded in that the following statements in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Bottle) "Healing * * * Muscular Rheumatism * * * Injuries by nails, Etc. * * * Purify * * * Sore. * * * Heal"; (carton) "Healing * * * For Human Use For * * * Sores, Ulcers, All Flesh Wounds, External Inflammation, Swellings, Lamé Back, Injuries Made by Nails, and other Conditions * * * Purify, * * * Heal. * * * And in other cases where the skin is broken. * * * For Animal Use * * * Sores, All Flesh Wounds, External Inflammations, * * * Swellings, * * * Injuries made by nails, * * * Purify the Wound or Sore and Heal * * * Healing"; (circular) "Healing * * * as a healer. * * * Healing * * * or other Flesh Wounds— * * * Old Sores, etc. * * * Muscular Rheumatism, Sore Throat, etc.— * * * Healing * * * Inflammation, * * * Muscular Rheumatism, etc. * * * Injuries Made by Nails— * * * For Human Use * * * Healing * * * For * * * Sores, * * * Injuries made by nails or other Flesh Wounds, Muscular Rheumatism, etc. * * * Healing."

On September 27, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20732. Adulteration and misbranding of Adium-Active Radium Ointment. U. S. v. 16 Dozen Tubes of Adium-Active Radium Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 27373. I. S. no. 44717. S. no. 5542.)

The drug preparation Adium-Active Radium Ointment, involved in this action, was represented to be a radium preparation, but was found to contain only a negligible trace of radium. The article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On December 16, 1931, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 16 dozen tubes of Adium-Active Radium Ointment, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce on or about September 8, 1931, by Adium Products, Inc., from Battle Creek, Mich., to Indianapolis, Ind., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted of an ointment containing a negligible trace of radium (less than 5 millimicrograms of radium per grain of the article). It was composed essentially of petrolatum and powdered mineral matter.

It was alleged in the libel that the article was adulterated in that its strength and quality fell below the professed strength under which it was sold, viz: (Carton) "Active Radium Ointment"; (tube) "Adium is * * * for use where mild Radium Therapy is indicated"; (circular) "Active Radium Ointment * * * Adium represents a great forward step in the application of mild radium-therapy * * * wherever mild radium therapy is needed. Adium makes it possible * * * The active radium substances are thoroughly diffused through-out the ointment * * * Radium—also Adium—contains three rays * * * They are known as Alpha, Beta and Gamma. The Alpha

rays reach and act on the outer surface of the skin; the Beta rays penetrate through the outer surface of the skin; the Beta rays penetrate through the outer surface and act upon the deeper layers; and the Gamma rays penetrate into the underlying tissues. Thus both the surface skin cells and those which lie beneath are bathed in these wonderful rays. * * * Its exceptional and amazingly prompt healing properties, we believe, lies in its wonderful radium content. * * * Photograph taken Without Sunlight Proves Adium's Radium-Active Properties. So active is Adium in radium rays that photographs may be taken with it in total darkness. * * * Adium is * * * radium-active ointment * * *. [A cut purporting to be from a photograph taken by means of radiation from the article; cuts accompanied by the legends 'How Radium is used in Hospitals' and 'How Adium is Used at Home']."

Misbranding of the article was alleged for the reason that the above-quoted statements and designs were false and misleading. Misbranding of the article was alleged for the further reason that the following statements regarding the curative or therapeutic effect of the article were false and fraudulent: (Tube label) "Adium is a * * * penetrating, healing ointment for use where mild Radium Therapy is indicated. Highly valuable in the treatment of Piles, Sores, Ulcers, Pimples, Itch, * * * Ringworm, Tetter, Warts, * * * Furunculosis (Boils), * * * For Piles"; (circular) "New Way to use Mild Radium Therapy, For Pimples, Acute Superficial Ulcers. Sores, * * * Ointment for Piles * * * Wonderful Healing Properties of Radium Disclosed by Nature * * * He noticed that sores and skin irritations and wounds among radium ore workers quickly vanished. Even those who on arrival suffered from certain minor skin diseases, such as may affect any man or woman in other walks of life, saw such ailments gradually disappear. In other mines, * * * skin infections and lesions are very common. The miners never actually handled pure radium. * * * Yet their constant contact with the ore was sufficient. For radium is not applied direct to the skin in medical treatment. Its emanations only are used—the rays which it gives forth. And these emanations, of course, were coming straight through the ore into the air and onto the skins of these miners. These observations led to the discovery of Adium and resulted in bringing the benefits of radium within the reach of every home. * * * to leave the radium in the ore and use the ore itself is not prohibitively expensive. Hence you are able to obtain Adium—the radium active ointment—at a very modest price. Laboratory Experts Perfect New Radium-Active Ointment for Use in Certain Skin Ailments, Sores, Pimples, Piles, etc. * * * He had seen with his own eyes the amazing healing properties of radium-bearing ore on skin conditions, and believed that by incorporating the ore into an ointment, the benefits of mild radium therapy could be placed within the reach of everyone without regard to location or occupation. * * * The laboratory crushed the ore to a fine powder, refined it to remove certain impurities and injurious elements, and then combined it with certain oils and therapeutic ingredients possessing known merit in the treatment of skin troubles, to form a * * * healing ointment. * * * Scores of sufferers experienced most amazing results. Many reported a cure of old sores, of chronic ulcers, piles, eczema and kindred conditions that had resisted every treatment and remedy used for years. * * * Its radium activity incorporated into an ointment was as pronouncedly beneficial as the original ore when freshly mined. For here is the wonderful thing about radium: Although it constantly gives off its wonderful healing rays, its powers are seemingly inexhaustible. It is estimated that radium in its pure state will retain its powers for 2500 years, while the ore in which it is contained will give out these emanations and rays for millions of years. So it came about that the observant brain of a layman (non-medical man) lead to the development of one of the most effective treatments for skin troubles and piles of which we have any knowledge that has ever been given to the world. * * * You can apply Adium * * * to * * * any kind of injury or irritation. Adium brings not only the * * * healing radium emanations or rays, but in it are also * * * other ingredients widely used in skin troubles. These act like a poultice, * * * while its healing rays and therapeutic agents penetrate to the seat of the affection. * * * Heretofore the use of radium—or of radium-active minerals—has been confined almost entirely to hospitals and laboratory work. * * * stimulating * * * the natural healing forces that are inherent to all bodily tissues, breaking up stagnation,

bringing new life and health to diseased tissues. * * * if you have aggravated sores, ulcers, pimples, eczema or piles that have resisted treatment for months or years, * * * Science hails radium and radium rays as one of the greatest discoveries of the age in years for skin troubles. Adium, because of its radium-active properties acts in a similar manner and because of its ease of application can be used in the home as safely and as easily as an ordinary salve or ointment. Adium also contains other valuable and proven ingredients for the skin which alone would stamp it as a most effective treatment for many forms of skin trouble. * * * The radium-active properties of Adium act continuously to penetrate * * * Skin Eruptions—Eruptions due to external cause usually respond quickly to Adium. * * * Pimples * * * Spread Adium well over the pimples * * * Repeat nightly until pimples * * * have entirely disappeared. Continue for a short time after the pimples have gone * * * Eczema— * * * Adium gives speedy and effective relief in most forms of this painful, itching, disfiguring disease. * * * Repeat treatment every night * * * until disease is relieved. Boils—First Adium relieves the pain and soreness. Used early enough it will often absorb the boil. Then it helps the boil to break quickly and end; after which it helps restore the skin to normal condition. Cover boil with Adium * * * Repeat daily * * * until boil or boils have disappeared. * * * These curative rays * * * Only their wonderful healing and reparative benefits are perceived, * * * Easy Way To Treat Piles * * * Piles—The penetrating, * * * healing properties of Adium are invaluable to the sufferer from Piles and Hemorrhoids. * * * Adium pours its active radium rays deep into the affected parts, stimulates blood circulation, relieves sluggishness and congestion. * * * for treating piles. Sore * * * Aching * * * Feet— * * * Old Sores and Surface Ulcers—Many of the most stubborn, aggravating, long-standing sores and superficial ulcers have yielded to the penetrating, healing rays of Adium. Apply * * * over sores, * * * Repeat treatment until sores are healed. * * * Psoriasis or Scaly Red Patches and other Skin Diseases— * * * Itch, Tetter, Ringworm, * * * Ugly Skin on Legs— * * * pours its healing rays deep into the affected tissues to relieve sluggishness and congestion, stimulate the reparative processes and build up diseased tissues.”

On March 5, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20733. Adulteration and misbranding of Gliciodina. U. S. v. Jose G. Carde (Gliciodina Manufacturing Co.). Plea of guilty. Fine, \$5 and costs. (F. & D. no. 28128. I. S. nos. 5784, 38436.)

This case was based on the sale in Puerto Rico of 2 lots of a drug preparation known as Gliciodina which examination disclosed contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels and in a circular shipped with the article. Tests of the article also showed that it was not an antiseptic and disinfectant, as claimed in the labeling. One of the lots contained less alcohol than declared.

On January 27, 1933, the United States attorney for the District of Puerto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States an information against Jose G. Carde, trading as the Gliciodina Manufacturing Co., Manati, P. R., alleging that the defendant had offered for sale and had sold in Puerto Rico, between the dates of May 13, 1930 and November 10, 1931, two lots of the said Gliciodina, which was adulterated and misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of small proportions of iodine, potassium iodide, thymol and menthol, alcohol, and water. Bacteriological examination showed that the article was neither an antiseptic nor a disinfectant when used as directed.

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to be an antiseptic and disinfectant when used as directed, and was also represented to contain 40 percent of